IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 28723 of 2007(T)

PETITIONER:

ABRAHAM MADAPPATTU,
MADAPPATTU HOUSE, PARAMBEL, CHEMBANODA P.O.,
PERUVANNAMUZHI (VIA), QUILANDY TALUK,
KOZHIKODE DISTRICT.

BY ADV. SRI.RAJU JOSEPH

RESPONDENTS:

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1. THE SECRETARY,
CHAKKITTAPARA GRAMA PANCHAYATH,
CHAKKITTAPARA P.O., QUILANDY TALUK,
KOZHIKODE DISTRICT.

2. JOJO JACOB, S/O. CHACKO,
RANDUPLACKAL HOUSE, PARAMBEL, CHEMBANODA P.O.,
PERUVANNAMUZHY (VIA), QUILANDY TALUK,
KOZHIKODE DISTRICT.

3. RETHEESH N., S/O. KUMARAN,
NADAYAMEL HOUSE, PARAMBEL, CHEMBANODA P.O.,
PERUVANNAMUZHI (VIA), QUILANDY TALUK,
KOZHIKODE DISTRICT.

R2 & R3 BY ADV. SRI.T.G.RAJENDRAN
R1 BY ADV. SRI.S.RAMESH BABU, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 28723 OF 2007

Dated this the 26th day of October, 2007

JUDGMENT

Mr.T.G.Rajendran submits on instructions from the 3rd respondent that the 3rd respondent has already stopped all his activities. As regards the 2nd respondent Sri.Rajendran submits that he has filed an application for licence. Mr.Ramesh Babu, counsel for the Panchayat submits that on account of the pendency of this writ Petition and on account of the fact that the Panchayat had taken action against 2nd respondent for conducting activities without licence, the Panchayat has not passed any orders on the licence application.

Since the application submitted by 2nd respondent is pending before the 1st respondent, I dispose of the Writ Petition issuing the following directions:

The interim order passed by this Court will continue till such time as orders are passed by the Panchayat on the licence application submitted by the 2nd respondent. The Panchayat will ensure that the interim orders passed by this Court are continued to be obeyed by the 2nd respondent. The Panchayat will take up the application for licence submitted by the 2nd respondent, hear the petitioner and the 2nd respondent, ensure that the application is accompanied by all statutory

consents and permits and take a final decision on that application at the earliest and at any rate within one month of receiving copy of this judgment. Once a decision is taken the petitioner as well as the 2nd respondent will be informed of the same.

PIUS C. KURIAKOSE, JUDGE

btt